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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Written statement submitted by the International Fellowship of Reconciliation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[8 June 1999]

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1. A necessary link exists between the right to development and the right of self-determination. Common article 1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR) affirms the right of self-determination as the right from which all other fundamental human rights flow. The Declaration on the Right to Development (art. 1) specifically acknowledges that the "human right to development also implies the full realization of the right of peoples to self-determination". Notably, article 5 of the Declaration provides as a precondition to realizing the right to development that "States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from ... refusal to recognize the fundamental right of peoples to self-determination".

2. Nonetheless, certain States continue to deny fundamental human rights on the grounds that these rights are incompatible with the right to adequate economic development. This position is inconsistent with the duty of States "regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms", as recognized by the Commission on Human Rights in its resolution 1997/72 on the right to development. It also fails to understand that promoting and protecting human rights, including the right of self-determination, are a necessary precondition to sustainable economic development.

3. We will address this issue through two examples: China's development policies in Tibet and the recent collapse of the Indonesian economy. In both cases, development schemes resting on the failure to honour the right of self-determination have not provided an adequate and fair distribution of resources and are economically unsustainable.

4. China has signed the ICESCR and the ICCPR. China has nonetheless taken the position that the right of its citizens to adequate food and shelter outweigh all other human rights. In practice, however, China has failed to provide fair or adequate resources for the Tibetan people. That failure first led to the first famines in Tibet's history, in the 1950s and again during the late 1960s, and now still leaves many Tibetans without adequate nutrition. The failure is directly traceable to China's failure to honour the Tibetans' right of self-determination. The development scheme in place in Tibet, moreover, shows every sign of being unsustainable.

5. The development scheme in Tibet rests on two foundations: (1) decisions made by central planners in Beijing; and (2) population transfer into Tibet of Chinese settlers. These two foundations ensure that Tibetans do not participate in development decisions regarding Tibet, and that what development that does take place benefits primarily Chinese settlers, Chinese investors and Chinese authorities. One notable example is the World Food Programme project for the Lhasa River Valley, carried out without Tibetan participation. Another is the Panam project, blocked by the European Union because of the lack of Tibetan participation.

6. In August 1998, Xinhua, the official Chinese press service, announced the completion of 60 development projects in Tibet, among 62 projects that had been planned by Beijing. Tibetans did not participate in the planning or

implementation of those projects. These projects, moreover, were intended primarily "to enhance foreign investment" in Tibet and were concentrated in urban areas dominated by Chinese settlers. Few reached the vast majority of Tibetans who live in rural areas. In December 1998, Chinese authorities announced additional preferential policies to attract foreign investment to Tibet.

7. Typical of the foreign investment in Tibet is the joint venture formed in 1997 to mine traditional Tibetan areas incorporated into Sichuan Province. A Canadian firm will extract minerals in partnership with a Chinese (State controlled) mining enterprise and a group of overseas Chinese investors. There is no Tibetan participation.

8. In December 1998, Tibetan Information Network reported plans to link China with Tibet through a railway line from Qinghai Province (created out of the north-eastern Tibetan province of Amdo). Even Chinese economists acknowledge that the railway is not justified economically, but is intended to help bring Tibet under greater political control, in part by opening Tibet to more troops and settlers.

9. China reported 13.4 per cent growth in Tibet's economy in 1997 due to "increased investment in basic infrastructure". Economic experts have observed, however, that the subsidies propping up the growth rate in Tibet are not sustainable in the long run and will have dire economic consequences once they decline or disappear altogether.

10. In the meantime, Tibetans are not participating fully in what economic development there is. Tibetans suffer discrimination in employment from the Chinese settlers and cadres who control most jobs. Inadequate and costly schools for Tibetans and Chinese language requirements also prevent Tibetans from participating fully in Tibet's economy.

11. Two stark indicators that development is not benefiting Tibetans are education and health. In 1996, China acknowledged to the Committee on the Rights of the Child that 33 per cent of Tibetan school-age children receive no education at all compared with a mere 1.5 per cent of Chinese children. In addition, a 1996 study shows that, although the height of Chinese children has increased over the last 20 years, the height of Tibetan children is actually declining, probably due to nutritional deficiencies brought on by Government-imposed changes from traditional economic patterns, the introduction of status foods by settlers, and generally inadequate health care. The high cost of hospitals, moreover, puts all but the most minimal health care out of the reach of most Tibetans.

12. Chinese-controlled economic development, therefore, is not providing Tibetans with an adequate or fair measure of economic opportunity. The hindering of Tibetans' participation in development decisions and aggressive population transfer are aimed at maintaining political control over the territory, not at raising the standard of living of Tibetans as such. Many Tibetans have benefited from this economic development scheme, but most have been harmed. The scheme is not grounded in sound economic decision-making and there is good reason to believe that the scheme cannot sustain itself.

13. Indonesia, too, has shown that economic development can be fragile where it rests on the failure to respect human rights and the right of self-determination. Indonesia was once presented as a system successfully combining economic growth with an autocratic government and rigid control of civil and political rights. The collapse of the economy revealed that the economic development was a thin façade precisely because it rested on cronyism, corruption, the inability of the vast majority of Indonesians to participate meaningfully in economic and political decisions, and the inability to speak freely about the country's problems. As the United Nations Development Programme has pointed out: "Human rights and sustainable human development are interdependent and mutually reinforcing. Development is unsustainable where the rule of law and equity do not exist; where ethnic, religious or sexual discrimination are rampant; where there are restrictions on free speech, free association and the media; or where large numbers of people live in abject and degrading poverty." Indonesia prove the truth of this statement. Tibet will too, unless China begins to recognize the Tibetan people's right to self-determination.

14. We therefore call upon the Sub-Commission on Prevention of Discrimination and Protection of Minorities to seriously review the human rights situation in Tibet at its fifty-first session.

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